

# **CHAPTER 189-6**

## **CAMPAIGN CONTRIBUTIONS**

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#### **189-6-.01 Receiving Contributions to Retire Debt**

If following a candidate's last election in an election cycle, the candidate's funds are insufficient to pay all campaign obligations incurred prior to the election, the candidate may accept contributions which will be aggregated with contributions previously received for the last election for purposes of the contribution limits set forth in the Act. However, contributions received to retire campaign debt may not be accepted in excess of the amount necessary to retire the campaign debt remaining from such last election.

Authority O.C.G.A. § 21-5-6, 21-5-30, 21-5-33, 21-5-41, 21-5-43. **History.** Original Rule entitled "Receiving Contributions to Retire Debt" adopted; filed on July 19, 2001; effective Aug. 8, 2001. **Amended:** F: Feb. 4, 2008; eff. Feb. 24, 2008.

#### **189-6-.02 Contributions for Candidates without Primaries**

Any person who will be on the general election ballot as a candidate in an election preceded by a primary election may accept contributions designated for such primary election even though such candidate does not appear on the primary ballot.

Authority O.C.G.A. § 21-5-6, 21-5-30, 21-5-33, 21-5-41, 21-5-43. **History.** Original Rule entitled "Contributions for Candidates without Primaries" adopted; filed on July 19, 2001; effective Aug. 8, 2001. **Amended:** F: Feb. 4, 2008; eff. Feb. 24, 2008.

### **189-6-.03 Maximum Allowable Contribution by Corporation**

No corporation shall make, for any election, contributions to any candidate which, when aggregated with contributions to the same candidate for the same election from any affiliated corporations, exceed the per election contribution limits for such candidate as set forth in O.C.G.A. § 21-5-41.

Authority O.C.G.A. § 21-5-6, 21-5-30, 21-5-33, 21-5-41, 21-5-43. **History.** Original Rule entitled “Maximum Allowable Contribution by Corporation” adopted; filed on July 19, 2001; effective Aug. 8, 2001. **Amended:** F: Feb. 4, 2008; eff: Feb. 24, 2008.

### **189-6-.04 Maximum Allowable Contribution by Political Committees**

No political committee shall make, for any election, contributions to any candidate which, when aggregated with contributions to the same candidate for the same election from any affiliated political committees, exceed the per election contribution limits for such candidate as set forth in O.C.G.A. § 21-5-41.

Authority O.C.G.A. § 21-5-6, 21-5-30, 21-5-33, 21-5-41, 21-5-43. **History.** Original Rule entitled “Maximum Allowable Contribution by Political Committees” adopted; filed on July 19, 2001; effective Aug. 8, 2001. **Amended:** F: Feb. 4, 2008; eff: Feb. 24, 2008.

### **189-6-.05 Specifying the Election for which a Contribution is Accepted**

Recipients of campaign contributions must specify on their campaign contribution disclosure reports which election for which a contribution has been accepted. If no election is specified or if the recipient has not chosen the option of separately accounting for contributions, any such contribution shall be presumed to have been accepted for the election on or first following the date of the contribution.

Authority O.C.G.A. § 21-5-6, 21-5-30, 21-5-33, 21-5-41, 21-5-43. **History.** Original Rule entitled “Specifying the Election for which a Contribution is Accepted” adopted; filed on July 19, 2001; effective Aug. 8, 2001. **Amended:** F: Feb. 4, 2008; eff: Feb. 24, 2008.

### **189-6-.06 Contributions Received for an Election which does not Occur or for which a Candidate does not Qualify**

Contributions received for an election beyond the candidate’s next upcoming election, may be placed in a separate campaign depository account and may not be spent or encumbered until the preceding election has been held and it is determined that the candidate will be on the ballot for the election for which the separately accounted for contributions were received.

Authority O.C.G.A. § 21-5-6, 21-5-30, 21-5-33, 21-5-41, 21-5-43. **History.** Original Rule entitled “Contributions Received for an Election which does not Occur or for which a Candidate does not Qualify” adopted; filed on July 19, 2001; eff: Aug. 8, 2001. **Amended:** F: Feb. 4, 2008; eff: Feb. 24, 2008.

### **189-6-.07 In-Kind Contributions**

- (1) An in-kind contribution is deemed a ‘contribution’ for purposes of the Act, and refers to any item of value other than money received by a candidate or any committee.
- (2) The aggregate of monetary and in-kind contributions from the same contributor shall not exceed the maximum contribution limits authorized by the Act.
- (3) In-kind contributions shall only be used during the election period for which they are designated.

Authority O.C.G.A. § 21-5-34. **History.** Original Rule entitled “In-Kind Contributions” adopted. F. Feb. 4, 2008; eff. Feb.24, 2008.

### **189-6-.08 Reporting of Investments**

Any investment made with campaign contributions and held outside a candidate’s or committee’s official depository account shall be reported during each reporting period for which the investment is still held or a transaction is made. The reporting must identify any account numbers, the name and address of the institution or person which holds the account, interest, dividends, profit or loss from the sale of such investment, and any information identifying persons involved in any transaction of the investment during said reporting period. Proceeds earned on such investment shall only be used in the same manner as allowed by law for contributions.

Authority O.C.G.A. § 21-5-34. **History.** Original Rule entitled “Reporting of Investments” adopted. F. Feb.4, 2008; eff. Feb. 24, 2008.

### **189-6-.09 Reporting of Indebtedness**

Candidates and committees shall report all indebtedness held during the period covered by each Campaign Contribution Disclosure Report.

Authority O.C.G.A. § 21-5-34. **History.** Original Rule entitled “Reporting of Indebtedness” adopted. F. Feb. 4, 2008; eff. Feb.24, 2008.